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OFFICE OF PETITIONS

In re Patent No. 6,740,290
Issue Date: May 25, 2004
Application No. 09/966,861
Filed: December 13, 2002
Attorney Docket No. 09799107-0009
For: HIGH PURITY COBALT, METHOD OF
MANUFACTURING THEREOF, AND HIGH
PURITY COBALT TARGETS

DECISION ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.183, filed August 2, 2004 (certificate of mailing date July 28, 2004), to waive the rules and accept the correction of the assignee data on the front page of the above-identified patent. The petition is also being treated as a request under 37 CFR 3.81 to accept the correction of the assignee data.

The petition under 37 CFR 1.183 is **dismissed as moot**.

The request under 37 CFR 3.81 is **dismissed**.

Effective June 25, 2004, 37 CFR 3.81(b) has been revised to no longer require the correction of the assignee data prior to issuance of the patent. Therefore, a petition to waive the rule is unnecessary. 37 CFR 3.81(b) currently states:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

In other words, the request under 37 CFR 3.81(b) will be granted when:

- (1) a request under 37 CFR 3.81 and the fee set forth in 37 CFR 1.17(i) are filed,
- (2) the assignment was submitted for recordation prior to issuance of the patent, and
- (3) a request for a certificate of correction and the fee set forth in 37 CFR 1.20(a) are submitted.

Petitioner has not met requirement (3) set forth above.

This type of request is handled in Publications Division, not in the Office of Petitions. Therefore, please submit any reconsideration request to:

ATTN: CERTIFICATE OF CORRECTION BRANCH
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Telephone inquiries should be directed to the undersigned at (571) 272-3230.



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Office of Petitions